



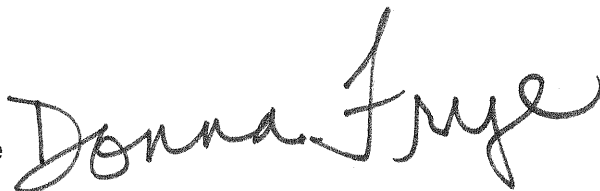
## **COUNCILMEMBER DONNA FRYE**

**City of San Diego, Sixth District**

### **MEMORANDUM**

**DATE:** July 20, 2009

**TO:** Mayor Jerry Sanders

**FROM:** Councilmember Donna Frye 

**SUBJECT:** Re-nomination of Guillermo ("Gil") Cabrera  
to the Ethics Commission

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I respectfully re-nominate Guillermo ("Gil") Cabrera to a second term on the City of San Diego's Ethics Commission. Mr. Cabrera has served as a member of the Commission since June 2005, and as its chair since 2007. He is still an active member of the California State Bar and meets the professional qualifications required for the Commission seat he holds. His resume is attached for your review (attachment 1).

However, as I outlined in my July 16, 2009 memorandum (attachment 2), I believe the city should implement an improved process for choosing Ethics Commissioners.

Thank you for considering this nomination.

cc. City Council  
City Attorney

DF:sh



**COUNCILMEMBER DONNA FRYE**  
**COUNCILMEMBER CARL DeMAIO**  
City of San Diego

**MEMORANDUM**

**DATE:** July 16, 2009

**TO:** Council President Ben Hueso

**FROM:** Councilmember Donna Frye  
Councilmember Carl DeMaio

**SUBJECT:** Rules of Council: Appointments to Ethics Commission

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Currently, Ethics Commissioners are appointed by the Mayor and confirmed by a majority of the City Council. We request that the following changes to the Permanent Rules of Council be docketed at the Rules Committee on July 29, 2009:

That Municipal Code Section 26.0404 (a) and (c) be amended to provide that a pool of nominees shall be submitted by the Mayor, City Council, City Attorney, and members of the public to the City Clerk. These nominations shall be evaluated by a panel of three retired judges who shall appoint the members of the Ethics Commission.

That this language be added to Municipal Code Section 26.0404 (b) after the fifth sentence:  
*"Nor shall any person who served in a staff capacity (campaign or city office) for a current elected official be eligible for nomination to the Commission."*

After the Rules Committee discusses this item, we request that it comes before the City Council in September. In the meantime, we request that *no* action be taken regarding appointments and reappointments to the Ethics Commission.

CC: Honorable City Councilmembers  
Honorable Mayor Jerry Sanders  
Jan Goldsmith, City Attorney

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Andrea Tevlin, Independent Budget Analyst  
Liz Maland, City Clerk

DF/ks